

STATE OF HAWAII
DEPARTMENT OF HEALTH
ENVIRONMENTAL MANAGEMENT DIVISION
SOLID AND HAZARDOUS WASTE BRANCH

INSTRUCTIONS FOR FILING PERMIT BY RULE APPLICATION FOR
CERTAIN SOLID WASTE MANAGEMENT FACILITIES

GENERAL INSTRUCTIONS

1. Permit by Rule applications only apply to facilities listed in Hawaii Administrative Rules Chapter 11-58.1-04(i), and as listed in the following section.
2. State of Hawaii, Department of Health, Administrative Rules, Title 11, Chapter 58.1-04, "Solid Waste Management Control," states that it shall be unlawful for any person to establish, modify, or operate any solid waste management facility or a part thereof or any extension or addition thereto without a permit issued by the Department.
3. Complete this application along with Attachments P-5 and P-6, filing fee, and the required information listed in the following section based on the type of facility. Submit the original application package at least thirty (30) days prior to the proposed start or modification date of construction/operation, or 30 days prior to the expiration of an existing permit for continued operation to:

Department of Health
Environmental Management Division
Solid and Hazardous Waste Branch
P.O. Box 3378
Honolulu, Hawaii 96801-3378

Completed applications and required information are necessary in order that the review and analysis of your application for a solid waste management permit not be delayed.

4. Confidential Information. Section 342H-14, Hawaii Revised Statutes, states that permit applications and reports on the disposal or management of solid waste submitted to the Department shall be made available for inspection by the public during established office hours unless such report contain information of a confidential nature concerning **secret processes or methods of manufacture**. If you feel the information, or a part thereof, that you submit to the Department warrants confidentiality, the applicant shall identify in writing the specific information asserted to be confidential, including a justification of that assertion for Department review. All information not asserted to be confidential by the applicant shall be treated as public report.
5. A filing fee of \$25 must be paid by the applicant at the time the application is submitted and shall not be refunded nor applied to any subsequent application following final action of cancellation or denial for an application.
6. Checks or money orders shall be made payable to the State of Hawaii.

7. A request for a duplicate permit shall be made in writing to the Director within ten days after the destruction, loss, or defacement of a permit. A fee of \$50.00 shall be charged and submitted with the request.
8. Facilities operating under Permit by Rule, are required to comply with the conditions specified under Hawaii Administrative Rules Section 58.1-04(i). In addition, the Director of Health may impose additional conditions as appropriate (HAR 11-58.1-04(i)(B)(iv)).
9. The Director may require complete and detailed plans or reports (i.e. design plans, engineering reports, site assessment, sampling and analysis) on existing or proposed facilities, or modifications thereto. The plans or reports shall be made by a competent person acceptable to the Director at the expense of the applicant or owner.
10. If you have any questions, please call the Solid Waste Section at (808) 586-4226. Our staff is available to assist you in understanding exactly what information and detail is requested in the attachments.

TYPES OF PERMIT BY RULE FACILITIES AND REQUIRED INFORMATION TO BE INCLUDED WITH THE APPLICATION

Permit by rule applications only apply to the following types of facilities. The permit by rule application shall consist of the application form, Attachments P-5 and P-6, filing fee, site plan and operations narrative. Details in the site plan and operations narrative should include, but is not limited to, the following items.

1. Convenience center (only residential waste, not more than 40 tons per day)
 - a. Site Plan: The site plan shall consist of two drawings. (1) A location map showing streets, property lines and boundaries of the facility, site access control such as gates, fencing, and natural barriers and major features surrounding the site. (2) A site map showing the layout and size/capacity of the solid waste activities (i.e. location of structures, various collection bins, equipment, storage areas, traffic flow).
 - b. Operations Narrative: The operations narrative shall consist of a brief description of the proposed solid waste activity, types of materials to be accepted, storage capacities of accepted materials, frequency of material removal from the site, measures to prevent and control fire and nuisances, and final disposition of the collected materials.
2. Green waste composting facility (not more than three-thousand tons per year)
 - a. Site Plan: The site plan shall consist of two drawings. (1) A location map showing streets, property lines and boundaries of the facility, site access control such as gates, fencing, and natural barriers and major features surrounding the site. (2) A site map showing the layout and size/capacity of the solid waste activities (i.e. location of structures, equipment, unchipped and chipped greenwaste storage area, chipping area, active composting area (static piles/windrows), screening and curing piles, and finished product storage area).
 - b. Operations Narrative: The operations narrative shall consist of a brief description of the greenwaste operations; source of the greenwaste; screening procedures for

incoming greenwaste; proposed quantity by volume and weight of greenwaste to be accepted, stored, and processed on a monthly basis; composting method and procedures; description of the equipment usages and the processing rate; greenwaste grinding frequency; measures to prevent and control fire and nuisances; maximum storage capacity of the unprocessed greenwaste, chipped greenwaste, and finished products; and final use of the mulch/compost.

3. Land Clearing, grubbing, and certain agricultural and inert waste landfills

a. Site Plan: The site plan shall consist of two drawings. (1) A location map showing streets, property lines and boundaries of the facility, site access control such as gates, fencing, and natural barriers and major features surrounding the site. (2) A site map showing the limits of the landfill and size/capacity of the solid waste activities (i.e. depth, height, and overall pre-filling and finished grades of the landfill).

b. Operations Narrative: The operations narrative shall consist of a brief description of the proposed solid waste activity, types and quantities of materials to be accepted and disposed, the source of waste to be disposed, screening procedures for incoming waste, the rate of landfilling (i.e. tons/day), landfill capacity, expected life of the landfill, measures to prevent and control fire and nuisances (dust, litter, vector, odor), and description of final cover system.

4. Recycling drop-off and single-source-separated processing facility

a. Site Plan: The site plan shall consist of two drawings. (1) A location map showing streets, property lines and boundaries of the facility, site access control such as gates, fencing, and natural barriers and major features surrounding the site. (2) A site map showing the layout and size/capacity of the solid waste activities (i.e. location of structures, equipment, various collection bins and processing area, storage for unprocessed and processed material, traffic flow).

b. Operations Narrative: The Operations Narrative for a recycling drop-off facility shall consist of a brief description of the proposed solid waste activity, types of recyclables to be accepted, storage capacities of accepted recyclables, frequency of recyclables removal from the site, measures to prevent and control fire and nuisances, and final disposition of the collected recyclables. The Operations Narrative for a single-source separated processing facility shall include a brief description of the operations, source and quantity of material to be accepted, methods and/or procedures to screen/inspect incoming material, equipment to be used and its processing/production rate, maximum storage capacity for processed and unprocessed material, fire and nuisance (dust, litter, odors, vectors) control measures, and final disposition of the processed materials.

**ATTACHMENT P-5
ZONING CLEARANCE FORM
SOLID WASTE PERMIT APPLICATION**

TO THE APPLICANT:

Please be advised that a requirement for the issuance of a solid waste management permit in Hawaii is that the facility meets local ordinances and zoning requirements, including the recording of its disposal facility with the Bureau of Conveyances.

In order that the SHWB may determine whether the facility is in compliance with local land use policy, **we require that this attachment be completed and signed by the appropriate county land use/planning agency** (on Oahu, contact the Department of Planning and Permitting). No permit will be issued unless this form has been properly completed and returned. If a Use Permit or SMA Permit is required, submit a copy of said permit with this form.

Name of Applicant: _____

Name and phone number of primary contact for applicant:

Address of proposed facility:

Tax Map Key: _____

Description of proposed facility [e.g., waste processing, waste storage (indoor or outdoor), recycling, composting, waste disposal, etc.): _____

COUNTY AGENCY APPROVAL:

The Current Zoning of the Proposed site for the Proposed Activity / Facility / Operation is:

_____ Allowed Identify Approved Use Permit/SMA, other Restrictions/Limitations: _____

_____ Not Allowed Reason (ex: Use Permit/SMA required, application pending, etc.): _____

Name: _____

Title: _____

Agency: _____

Signature: _____ Date: _____

**ATTACHMENT P-6
PROPERTY OWNER APPROVAL FORM
SOLID WASTE PERMIT APPLICATION**

TO THE APPLICANT:

In order that the SHWB may determine whether the property owner and/or master lessee is knowingly allowing the proposed solid waste activity, we require that this attachment be completed and signed by the property owner and the master lessee, if appropriate. **No permit will be issued unless this form has been properly completed and returned.**

Name of Applicant: _____

Name and phone number of primary contact for applicant:

Address of proposed facility:

Tax Map Key: _____

Description of proposed facility [e.g., waste processing, waste storage (indoor or outdoor), recycling, composting, waste disposal, etc.): _____

PROPERTY OWNER / MASTER LESSEE APPROVAL:

I/We certify that I/we have knowledge and approve of the applicant's proposed solid waste management facility for the subject location. I/We further certify that I/we fully understand the requirements under HAR Chapter 11-58.1, Subchapter 6, such that I/we am/are also responsible for the aesthetic, nonhazardous, sanitary storage, and removal of solid waste to approved solid waste management facilities.

If the property owner/master lessee is a partnership or group other than a corporation, a county, or state entity, one individual who is a member of the group shall sign this form. If the property owner/master lessee is a corporation, a county, or a state entity, an officer of the corporation, or an authorized representative of the county or state shall sign this form.

Property Owner:

Name of Authorized Representative: _____
Signature: _____ Date: _____
Title: _____ Telephone: _____
Company Name: _____ Termination date of
Address: _____ lease/approval: _____

Master Lessee:

Name of Authorized Representative: _____
Signature: _____ Date: _____
Title: _____ Telephone: _____
Company Name: _____ Termination date of
Address: _____ lease/approval: _____

STATE OF HAWAII
DEPARTMENT OF HEALTH
ENVIRONMENTAL MANAGEMENT DIVISION
SOLID AND HAZARDOUS WASTE BRANCH

PERMIT BY RULE APPLICATION FOR
CERTAIN SOLID WASTE MANAGEMENT FACILITIES

This permit application was developed in accordance with the requirements of Hawaii Administrative Rules (HAR), Title 11, Chapter 58.1. **In order for this application to be considered complete, the site plan, operations narrative, Attachments P-5 and P-6, and filing fee must accompany this application form.** Please read the general instructions before completing.

I. Type of Application (check all that apply)

- A. ☐ Permit to establish a new facility
- B. ☐ Permit to modify an existing facility
- C. ☐ Permit renewal with no modification
- D. ☐ Permit renewal with modification
- E. ☐ Change in ownership
- F. ☐ Other

Describe _____

II. Type of Facility (check one)

- A. ☐ Convenience center (residential transfer station, <40 tons/day)
- B. ☐ Greenwaste composting facility (<3,000 tons/year)
- C. ☐ Land clearing, grubbing, and certain agricultural or inert waste landfill
- D. ☐ Recycling drop-off and single source-separated processing facility

III. Existing pollution control permits and/or variances issued to facility:

IV. General Information

A. Name and address of the owner of the solid waste facility:

_____ Telephone: _____

B. Name and address of the operator of the solid waste facility:

_____ Telephone: _____

C. Name and address of individual authorized to act for the owner and operator:

_____ Telephone: _____

VI. Certification by owner and operator:

We, _____, _____ (owner)
(name) (title)

and _____, _____ (operator)
(name) (title)

certify that we have knowledge of the facts hereby submitted and that the same are true and correct to the best of our knowledge and belief, and that all information not identified as confidential in nature shall be treated by the Department of Health as public record. We further state that we will assume responsibility for the construction, modification, operation, maintenance, closure and post-closure of the facility in accordance with Hawaii Revised Statutes, 342G, H and I; and Hawaii Administrative Rules, Title 11, Chapter 58.1, and any permit issued thereof. As co-permittees, we understand that we share joint and several liability for compliance with aforementioned statutes, regulations, and permits. We also understand that we are responsible to construct and operate the facility in accordance with the conditions listed in Hawaii Administrative Rules Chapter 11-58.1-04(i), and any other conditions that may be specified by the Department.

If the owner/operator is a partnership or group other than a corporation or a county, one individual who is a member of the group shall sign the application. If the applicant is a corporation or a county, an officer of the corporation, general manager of the facility, or an authorized representative of the county shall sign the application.

Date: _____ Owner:
Signature: _____
Title: _____
Company Name: _____
Address: _____
Telephone: _____

Date: _____ Operator:
Signature: _____
Title: _____
Company Name: _____
Address: _____
Telephone: _____